



General Assembly

January Session, 2005

***Raised Bill No. 1021***

LCO No. 2758

\*02758\_\_\_\_\_LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

***AN ACT CONCERNING DISCRETIONARY BENEFITS UNDER THE  
WORKERS' COMPENSATION ACT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 31-280 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (a) There shall continue to be a chairman of the Workers'  
5 Compensation Commission selected by the Governor as provided in  
6 section 31-276. The chairman may not hear any matter arising under  
7 this chapter, except appeals brought before the Compensation Review  
8 Board and except as provided in subdivision (14) of subsection (b) of  
9 this section and subsection (e) of section 31-308, as amended by this  
10 act. The chairman shall prepare the forms used by the commission,  
11 shall have custody of the insurance coverage cards, shall prepare and  
12 keep a list of self-insurers, shall prepare the annual report to the  
13 Governor and shall publish, when necessary, bulletins showing the  
14 changes in the compensation law, with annotations to the Connecticut  
15 cases. The chairman shall be provided with sufficient staff to assist  
16 [him] in the performance of [his] the chairman's duties. The chairman

17 may, within available appropriations, appoint acting compensation  
18 commissioners on a per diem basis from among former workers'  
19 compensation commissioners or qualified members of the bar of this  
20 state. Any acting compensation commissioner appointed under this  
21 subsection shall be paid on a per diem basis in an amount to be  
22 determined by the Commissioner of Administrative Services, subject to  
23 the provisions of section 4-40, and shall have all the powers and duties  
24 of compensation commissioners. The Workers' Compensation  
25 Commission shall not be construed to be a commission or board  
26 subject to the provisions of section 4-9a.

27 Sec. 2. Section 31-308 of the general statutes is amended by adding  
28 subsection (e) as follows (*Effective October 1, 2005*):

29 (NEW) (e) In addition to compensation for total or partial  
30 incapacity, or for a specific loss of a member or use of the function of a  
31 member of the body, or for significant disfigurement or permanent  
32 significant scarring, the chairman may award compensation for the  
33 loss of a member or organ or the complete and permanent loss of use  
34 of a member or organ not otherwise referred to in subsection (b) of this  
35 section. The chairman shall determine the amount and duration of  
36 such compensation, taking into consideration (1) the disabling effect of  
37 the loss of or loss of function of the member or organ involved, and (2)  
38 the necessity of the member or organ or the complete functioning of  
39 the member or organ with respect to the entire body, but in no case  
40 shall the chairman award more than five hundred twenty weeks of  
41 compensation under the provisions of this subsection. The chairman  
42 may review recommendations from a commissioner concerning an  
43 award of compensation for the loss of a member or organ or the  
44 complete and permanent loss of use of a member or organ not  
45 otherwise referred to in subsection (b) of this section, but discretion for  
46 determining awards under this subsection shall be vested solely in the  
47 chairman.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	31-280(a)
Sec. 2	<i>October 1, 2005</i>	31-308

***Statement of Purpose:***

To give the chairman of the Workers' Compensation Commission sole discretion in determining awards for permanent partial disability benefits for body parts not included on the schedule of injuries listed in subsection (b) of section 31-308 of the general statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*